

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Duane L. O'Malley,

File No. 20-cv-660 (ECT/TNL)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

B. Birkholz, Warden,

Defendant.

United States Magistrate Judge Tony N. Leung issued a Report and Recommendation on June 15, 2020. ECF No. 20. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 20] is **ACCEPTED**;
2. This action is **DISMISSED WITHOUT PREJUDICE** pursuant to Fed. R. Civ. P. 41(b) for failure to prosecute; and
3. The motions to intervene [ECF Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14] are **DENIED AS MOOT**.

Dated: July 6, 2020

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court